



AFFIDAVIT OF POSSESSION

Compare

TO WHOM IT MAY CONCERN:

FILED NO. 1791
BOOK 38 PAGE 311

STATE OF IOWA

1988 APR -1 PM 4:14

MADISON COUNTY } ss.

MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA

The undersigned first being duly sworn (or affirmed) upon oath deposes and states:

Fee \$10.00

That KMG Agri-Services, Inc.

is now the record titleholders of the following described real estate situated in Madison County, to-wit: The West 278 feet of all that part of the Northeast Quarter (NE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) which lies North of the centerline of the right of way of the C.B. & Q. RR of Section fifteen (15), all in Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., except a 25 foot wide tract of land more particularly described as a 25 foot wide strip centered on the following-described centerline: Commencing at a point located on the West line of said Northeast Quarter (NE $\frac{1}{4}$) of the Southwest Quarter (SE $\frac{1}{4}$) located 8.4 feet South of the Southeast corner of Out Lot Five (5), Town of Truro, Iowa, thence North 88° 55' East 278 feet to the East line of the above-described tract.

That said KMG Agri-Services, Inc. are now in complete actual and sole possession of all of said real estate except as may be herein stated. That this affidavit is made from the personal knowledge of the undersigned who is familiar with said real estate, its titleholders, and its parties in possession; and is for the purpose of confirming title to the above described real estate under the provisions of Section 614.17, Code of Iowa, and other statutes relative thereto.

At the time of the execution of the Financing Statement from Richard A. Musal and Kenneth D. Gray to Bankers Trust Company recorded August 6, 1986, in U.C.C. Record 3 on Page 241 in the Office of the Madison County Recorder, which covered "portable buildings, fixtures and grain hauling equipment located at the KMG Agri-Services, Inc. Truro, Iowa, facility", neither Richard A. Musal nor Kenneth D. Gray held any personal title to the above-described real property or the fixtures located thereon, but were simply executing the Financing Statement as officers or agents of KMG Agri-Services, Inc., on behalf of KMG Agri-Services, Inc.

Words and phrases herein, including jurat and marginal entry hereof, shall be construed as in the singular or plural number, and as masculine, feminine or neuter gender, according to the context.



Dated this 31 day of March, 1988

Kenneth D. Gray
Kenneth D. Gray, Affiant

Subscribed in my presence and sworn to (or affirmed) before me by the said affiant this 31 day of March, 1988

Kathleen M. Feuring
Notary Public in and for the State of Iowa

POWER OF ATTORNEY

The undersigned, owner in possession of said property as above stated, hereby directs that this affidavit be filed of record and hereby appoints the County Recorder of the County wherein said land is situated as the authorized attorney in fact to file same.
KMG Agri Services, Inc.

If the Power of Attorney is granted by a Corporation attach corporate acknowledgment (official Form No. 12).

By: Kenneth D. Gray
Kenneth D. Gray, Pres. & Secretary, Owner in Possession

STATE OF IOWA, _____ COUNTY, ss:

On this _____ day of _____, 19____, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared _____, to me known to be the identical person named in and who executed the within and foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.

_____, Notary Public in and for the State of Iowa

The use of the Power of Attorney with acknowledgment is optional and may be omitted if the affidavit is filed by the owner in possession as named in the affidavit.

MARGINAL ENTRY

STATE OF IOWA, COUNTY OF MADISON ss:

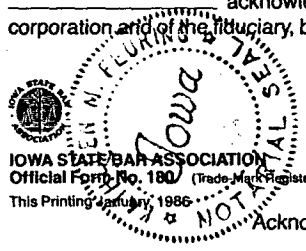
The undersigned Recorder in and for said County in the State aforesaid, hereby certifies that the foregoing affidavit was filed in the said Recorder's Office by the owner in possession as named in said affidavit or by his attorney in fact as shown by the records; and duly recorded and entered on the records thereon on the 1 day of April, 1988.

Mary E. Welty
Recorder.

FOR THE LEGAL EFFECT OF THE USE OF THIS FORM, CONSULT YOUR LAWYER

STATE OF IOWA, MADISON COUNTY, ss:

On this 31 day of March, 19 88, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Kenneth D. Gray and [redacted] to me personally known, who, being by me duly sworn, did say that he is the vice president and secretary, respectively, of the corporation executing the foregoing instrument; that (no seal has been procured by) (the seal affixed thereto is the seal of) the corporation; that the instrument was signed (and sealed) on behalf of the corporation by authority of its Board of Directors; and Kenneth D. Gray and [redacted] acknowledged the execution of the instrument to be the voluntary act and deed of the corporation and of the fiduciary, by it, by them and as the fiduciary voluntarily executed.



Kathleen M. Feuring
_____, Notary Public in and for said State.

IOWA STATE BAR ASSOCIATION
Official Form No. 180 (Trade Mark Registered, State of Iowa, 1967)
This Printing January, 1986

(Section 558.39, Code of Iowa)

Acknowledgement: For use in the case of a corporate fiduciary



11.8.88